

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

NETLIST, INC.,	)	
	)	
Plaintiff,	)	
	)	Case No. 2:22-cv-293-JRG
vs.	)	
	)	JURY TRIAL DEMANDED
SAMSUNG ELECTRONICS CO., LTD;	)	(Lead Case)
SAMSUNG ELECTRONICS AMERICA,	)	
INC.; SAMSUNG SEMICONDUCTOR	)	<div style="background-color: black; width: 150px; height: 1.2em;"></div>
INC.,	)	
	)	
Defendants.	)	

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NETLIST, INC.,	)	
	)	
Plaintiff,	)	
	)	Case No. 2:22-cv-294-JRG
vs.	)	
	)	JURY TRIAL DEMANDED
MICRON TECHNOLOGY, INC.;	)	
MICRON SEMICONDUCTOR	)	
PRODUCTS, INC.; MICRON	)	
TECHNOLOGY TEXAS LLC,	)	
	)	
Defendants.	)	

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**DECLARATION OF JASON G. SHEASBY IN SUPPORT OF NETLIST, INC.'S  
MOTION TO STRIKE PORTIONS OF THE REBUTTAL EXPERT REPORT  
OF LAUREN KINDLER**

**I, Jason G. Sheasby, declare as follows:**

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Plaintiff Netlist, Inc. (“Netlist”) in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist, Inc.’s Motion to Strike Portions of the Rebuttal Expert Report of Lauren Kindler. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2. Attached as **Exhibit 1** is a true and correct copy of the Rebuttal Expert Report of Lauren Kindler dated December 21, 2023.

3. Attached as **Exhibit 2** is a true and correct copy of the Joint Development License Agreement (NETLIST- SAMSUNG - EDTX00037780).

4. Attached as **Exhibit 3** is a true and correct copy of the Strategic Product Supply and License Agreement between Netlist and SK hynix dated April 5, 2021 (NETLIST SAMSUNG\_EDTX00037749).

5. Attached as **Exhibit 4** is a true and correct copy of Attachment D to the Rebuttal Expert Report of Joseph C. McAlexander III dated December 23, 2023.

6. Attached as **Exhibit 5** is a true and correct excerpted copy of Samsung’s November 20, 2023 Supplemental Objections and Responses to Netlist, Inc.’s Amended First Set of Interrogatories (Nos. 1-20).

7. Attached as **Exhibit 6** is a true and correct copy of the JEDEC Manual of Organization and Procedure (JM21V) dated November, 2023.

8. Attached as **Exhibit 7** is a true and correct excerpted copy of Netlist’s Revised Fourth Amended and Supplemental Responses and Objections to Samsung Defendants’ Second Set of Interrogatories (Nos. 3-22), dated November 19, 2023.

9. Attached as **Exhibit 8** is a true and correct excerpt of the deposition transcript of Hyun Joong “Johnny” Kim dated December 6, 2023 from the *Netlist v. Samsung*, No. 21-cv-463 (E.D. Tex.).

10. Attached as **Exhibit 9** is a true and correct excerpt of the hearing transcript from the June 8, 2023 Oral Argument in *Netlist Inc. v. Samsung Elecs. Co., Ltd.*, No. 22-55209 (9<sup>th</sup> Cir.).

11. Attached as **Exhibit 10** is a true and correct copy of a letter from Netlist to Micron produced at bates number NETLIST\_SAMSUNG\_EDTX00037348 dated June 8, 2022.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 16, 2024, in Marshall, Texas.

By /s/ Jason G. Sheasby  
Jason G. Sheasby